

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

EMANUEL NICOLESCU,

Petitioner,

v.

DAVID ORTIZ,

Respondent.

Civil Action  
No. 18-13851 (RBK)

**MEMORANDUM OPINION**

**ROBERT B. KUGLER, U.S.D.J.**

1. On September 13, 2018, Petitioner Emanuel Nicolescu filed a petition for writ of habeas corpus in this matter pursuant to 28 U.S.C. § 2241.

2. The post office returned mail sent to Petitioner as undeliverable on January 14, 2019 and January 24, 2019, as Petitioner was released or transferred from FCI Fort Dix. Petitioner has not contacted the Court in the intervening time to provide an updated address.

3. Local Civil Rule 10.1(a) requires unrepresented parties to notify the Court of any change in address within 7 days. The Rule further provides that, failure to file such notice “may result in the imposition of sanctions by the Court.” *Id.* Indeed, failure to apprise the Court of an address change may result in the outright dismissal of the case for failure to proceed, or an administrative termination of the action without prejudice. *See, e.g., Allebach v. Cathell*, No. 06-5005, 2009 WL 2147145 (D.N.J. July 15, 2009); *Boretsky v. Corzine*, No. 08-2265, 2008 WL 2512916 (D.N.J. June 23, 2008).

4. As the Court does not have a current address for Petitioner, the present matter cannot proceed at this time. The Court will therefore administratively terminate the proceedings without prejudice to Petitioner’s right to reinstate this action by notifying the Court and Respondent of his new address within 30 days.

5. Failure to provide an updated address within 30 days of the date of this Order may result in the matter being dismissed for lack of prosecution.

6. An appropriate Order follows.

**January 31, 2019**

Date

**s/Robert B. Kugler**

ROBERT B. KUGLR

United States District Judge

